

STATE OF HAWAII

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 REQUEST FOR EXEMPTION FROM CHAPTER 103F, HRS

04 DEC 30 10:54

To: Chief Procurement Officer

STATE PROCUREMENT OFFICE
STATE OF HAWAIIFrom: Department of Health/Child and Adolescent Mental Health Division
 Department/Division/Agency

Pursuant to § 103F-101(a)(4), HRS, and Chapter 3-141, HAR, the Department requests a procurement exemption to purchase the following:

Title and description of health and human service(s):

Under the Individual with Disabilities in Education Act (IDEA) (20 U.S.C. §1401) and Section 504 of the Rehabilitation Act, the Department of Health (DOH) is responsible to provide related mental health services for children and youth through age 21. Pursuant to §321-171, Hawaii Revised Statutes (HRS), the DOH's Child and Adolescent Mental Health Division (CAMHD) is responsible to provide preventive health services; diagnostic and treatment services for emotionally disturbed children and youth; treatment and rehabilitative services for mentally challenged children and youth; and for the coordination of mental health services for youth adjudicated through the court.

This request for exemption from Chapter 103F, HRS is to ensure compliance with these mandates for youth requiring treatment and rehabilitation services in out-of-state psychiatric facilities. The determining conditions to place a youth in an out-of-state facility occur only after all efforts to meet the youth's treatment need in Hawaii have been exhausted; or youth in need of specialized treatment that is not locally available; and the determination for placement is reflected in the youth's Individualized Education Program (IEP), or court order. All of the youth meet these conditions. Services include ancillary services, limited medical care and services to facilitate the transition of youth from an inpatient milieu.

On July 1, 2004, P.E.H. No. 05-01 was approved for youth requiring treatment and rehabilitation services in out-of-state psychiatric facilities. The approval authorizes payment for mental health services up to \$261,000.00. Based upon a review of current expenses and utilization, there will be a shortfall of approximately ~~1~~ \$251,100.00 between the third and fourth quarter of fiscal year 2005.

Provider Name: To Be Determined	Total Contract Funds: \$251,100	Term of Contract: From: 12-31-04 To: 6-30-05 1/11/05 MS
Provider Address:	Contract Funds per Year (as applicable).	

Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

In P.E.H. No. 05-01, the CAMHD based its original projection for FY 2005 on youth residing on the mainland. This approval authorized payment for mental health services up to \$261,000 for this current fiscal year. A recent 3rd quarter review of our mainland placement budget, based on the last 5 months of actual expenses, revealed that the amount in P.E.H. No. 05-01 would be insufficient. In the original request, the CAMHD failed to include certain youth I.E.P., and youth placement directed by the Court. This oversight will result in a shortfall of approximately \$251,100.00 for the remaining six months.

The need to place a youth as stated in P.E.H. 05-01 in an out-of-state facility occur only after all efforts to meet the youth's treatment need in Hawaii have been exhausted; or youth in need of specialized treatment that is not locally available; and the determination for placement is reflected in the youth's Individualized Education Program (IEP) or court order. The ability to anticipate, develop, and adequately meet all procurement requirements for each youth in need of services in a timely manner is not practicable and would place the State at risk of violating federal laws and/or court order. Further, any delay of clinically necessary services would not be in the best interest of the youth or the State.

Details of the process or procedure to be followed in selecting the service provider to ensure maximum fair and open competition as practicable:

All decisions are made through a multi-disciplinary treatment team and the established Individualized Educational Program process, and/or court ordered after all local programs have been considered and deemed inappropriate.

A description of the state agency's internal controls and approval requirements for the exempted procurement:

The CAMHD has implemented a process for the payment of out-of-state facilities. Payment shall be processed only upon the approval by the Family Guidance Center involved and with a Service Authorization for the invoiced period. Any deviations are referred to the Accountant for resolution.

A list of state agency personnel, by position title, who will be involved in the approval process and administration of the contract:

Chiyoume Leina'ala Fukino, M.D., Director of Health
Michelle Hill, Deputy Director of Behavioral Health
Christina M. Donkervoet, Chief, CAMHD
Alfred Arensdorf, CAMHD Medical Director
Mary Brogan, Performance Manager
T. Orvin Fillman, Dr.P.H. Public Health Administrative Officer

Direct questions to (name & position):

T. Orvin Fillman, Dr.P.H. Public Health Administrative Officer

Phone number:

733-4198

e-mail address:

tofillma@camhmis.health.state.hi.us

This exemption should be considered for list of exemptions attached to Chapter 3-141, HAR: Yes ☒ No ☐

I certify that the information provided above is to the best of my knowledge, true and correct.


Department Head Signature

DEC 29 2004

Date

Chiyoume Leina'ala Fukino, M.D.
Typed Name

Director of Health
Position Title

Chief Procurement Officer's Comments:

Please ensure adherence to applicable administrative requirements.



Approved



Denied


Chief Procurement Officer

1/11/05
Date

cc: Administrator
State Procurement Office